

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT JAMES CURTIS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

CASE NO. C15-657 BHS

ORDER TRANSFERRING CASE

This matter comes before the Court on Plaintiff Robert Curtis's ("Curtis") motion to proceed *in forma pauperis* (Dkt. 1) and proposed complaint (Dkt. 1, Exh. 1).

On April 27, 2015, Nancy Thorton, a lay representative, filed the instant motion and proposed complaint on behalf of Curtis. *Id.* Curtis is challenging the Social Security Administration's denial of his request for benefits. *Id.*, Exh. 6. Based on a review of his submissions, Curtis is a resident of Portland, Oregon, the hearing before the Administrative Law Judge was held in Portland, and the Appeals Council's denial of his

1 request for review instructs Curtis to contact its local Portland office if Curtis has any
2 additional questions.

3 Although Curtis has a right to file an action challenging the Government's adverse
4 decision, Curtis has filed this complaint in the wrong district. The district court of a
5 district in which a case is filed laying venue in the wrong division or district shall
6 dismiss, or if it be in the interest of justice, transfer such case to any district or division in
7 which it could have been brought. 28 U.S.C. § 1406(a). In evaluating the documents on
8 file, the Court concludes that this action should be transferred to the District of Oregon.
9 Moreover, the Court concludes that it is more appropriate to transfer this case instead of
10 dismissing it because Curtis has a limited time period to file this complaint. Therefore,
11 the Court *sua sponte* transfers this case to the District of Oregon.

12 **IT IS SO ORDERED.**

13 Dated this 4th day of May, 2015.

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16 BENJAMIN H. SETTLE
17 United States District Judge
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